



ACTIONS

N.C. WILDLIFE RESOURCES COMMISSION

January 13, 2011 at 8:55 a.m.

NC Wildlife Resources Commission Headquarters
1751 Varsity Drive
Raleigh, North Carolina

Call to Order - *Commission Chairman* Steve Windham called the N.C. Wildlife Resources Commission meeting to order at 8:55 a.m. in the Commission Conference Room, 5th floor. Windham noted the absences of Bobby Purcell (out of town), Randy Allen (weather), Martin Lewis (family illness), and Doug Parsons (funeral), and the presence of Commissioner Dell Murphy by teleconference.

Pledge of Allegiance and Invocation - *Commissioner* David Hoyle, Jr. led the Pledge of Allegiance. *Commissioner* Chuck Bennett gave the invocation.

Mandatory Ethics Inquiry - Chairman Windham read the ethics inquiry mandated in North Carolina General Statute 138A-15(e).

Welcome - Chairman Windham welcomed Commissioners and guests.

Minutes - the Commission approved the November 4, 2010 Wildlife Resources Commission minutes as presented in **Exhibit A**.

Financial Status Report - the Commission received a financial status report on the Wildlife Operating Fund and the Wildlife Endowment Fund as of November 30, 2010, from Tommy Clark, *Budget Officer*, presented in **Exhibit B**. The Operating Fund balance was \$22,218,932.07. The Endowment Fund balance was \$78,776,309.68.

Special Recognition – Wildlife Enforcement Officer of the Year Award – Colonel Dale Caveny, *Enforcement Division Chief*, recognized Officer William Gary Caulk, Jr. for receiving the Officer of the Year Award sponsored by the North Carolina Wildlife Federation, Southeastern Association of Fish and Wildlife Agencies, and Shikar Safari International. Col. Caveny also welcomed Officer Caulk’s father, Gary Caulk, who retired from the WRC as an Enforcement Officer in District 6.

Special Presentation – Old North State Award - North Carolina Senator Edward Jones presented Wildlife Enforcement Officer Jay Rivenbark with an award and flag in recognition of Rivenbark’s dedication above the call of duty on his own time, when Rivenbark assisted District 1 law enforcement using cell phone records to backtrack a killer. On behalf of Governor Bev Perdue, Senator Jones also presented Rivenbark with the Old North State Award for his actions in solving the murder.

Boating Access Area Renovation, City of Washington – the Commission approved a staff recommendation presented in **Exhibit C** by Erik Christofferson, *Engineering Services Division Chief*, to partner with the City of Washington to renovate a boating access area at the Havens Garden Park on Runyon Creek in Beaufort County.

Engineering Services Spotlight – LEED Gold Award – Michael Shelton, *Engineering Services Facilities Mechanical Engineer*, presented an update on agency sustainability projects state-wide. The agency headquarters building, a symbol of dedication to conservation, has been sustainably designed. Shelton highlighted focus on water efficiency, storm water management, air distribution and filtration systems, electricity controls, access to public transportation and emphasis on fuel efficiency, and recyclable furnishings as some of the benchmarks that garnered a LEED (Leaders in Energy and Environmental Design) Gold Award for the headquarters building. Shelton showed the LEED Gold Award, which will be displayed in the Commission Room.

Wildlife Management Update – the Commission received an update about the activities of the Division of Wildlife Management from Isaac Harrold, *Section Manager, State and Private Lands*.

Land Acquisition Update - the Commission received a regular update on the status of land acquisitions from Isaac Harrold in **Exhibit D**.

Property Related Issues – the Commission approved the staff recommendation to coordinate with the State Property Office to seek appropriate funding for Game Land and Wildlife Conservation Area acquisitions of the Sam Casey Tract in Pender County and the Tar River Company Tracts in Warren County. **Exhibit E** was presented by Isaac Harrold.

Rule Proposal Public Comments - the Commission received a report from Isaac Harrold in **Exhibit F**, of comments received from public hearings and by email regarding a proposed rule to establish emergency powers in the event of a wildlife disease threat. Harrold reported that there were no attendees at the three public hearings. Twenty-five comments were received by email.

Rule Adoption – Emergency Powers – the Commission adopted 15A NCAC 10A .1201 – Emergency Powers, presented by Isaac Harrold in **Exhibit G**. The adopted rule will be considered by the Rules Review Commission before codification in the North Carolina Administrative Code.

Inland Fisheries Update – the Commission received an update on the activities of the Inland Fisheries Division from Bob Curry, *Inland Fisheries Division Chief*. Curry mentioned trout stocking on the Catawba River below Lake James will be delayed until after dam repair is completed at the Bridgewater Tailrace. The Watha Fish Hatchery has provided 13 tons of striped bass for stocking on the Cape Fear River. Curry announced that the fly fishing show will be held in Raleigh, January 29-30, at the State Fairgrounds.

Proposal to Establish Size and Creel Limits by Reference for Saltwater Fishes – the Commission adopted the staff recommendation, presented by Bob Curry in **Exhibit H**, to present at local public hearings proposed changes in the 2011-2012 fishing rules that establish size and creel limits for saltwater species (sea trout, flounder, gray trout, and red drum) caught in inland fishing waters, by reference to Marine Fisheries Commission regulations. The rule would allow the WRC's rules for size and creel limits on those fishes to remain consistent with changes that are established by proclamation authority of the Marine Fisheries Commission.

Rule Change Proposal – Wildlife Service Agents – the Commission approved a staff recommendation, presented in **Exhibit I** by Cecilia Edgar, *Deputy Director of Administration*, to present at public hearings a proposal to adopt changes to 15A NCAC 10G .0402, 15A NCAC 10G .0403, and 15A NCAC 10G .0405 that will implement equipment and support changes for Wildlife Service Agents. Adoption of the rule proposal will result in a savings to the agency of \$300,000. Commissioner David Hoyle, Jr. recused himself from discussion and vote on Exhibit I.

Big Game Committee Meeting Report - Chairman David Hoyle, Jr. reported that the Big Game Committee met on January 12, 2011. Discussions included issues regarding hunting feral hogs and coyote hunting at night. Commissioner Chuck Bennett was presented an angler recognition award for the “trophy fish” that he foul-hooked.

Warm Water Fisheries Committee Meeting Report – Chairman Ray White reported that the Warm Water Fisheries Committee met on January 12. Discussion included the four-year moratorium on river herring which to date has not resulted in an increase of that species. Adult herring return to inland waters every four years to spawn. White indicated that this year will show whether the moratorium on take of river herring has helped the population. The committee heard about the cooperative effort to track Atlantic sturgeon in the Roanoke River that were fitted with radio transmitters last fall. White reported that the committee approved the Coastal Habitat Protection Plan (CHPP).

Joint Coastal Recreational Fishing License Committee Report – Ray White reported that he, Maughan Hull and Joe Barker, members of the agency CRFL Committee, met with their Division of Marine Fisheries counterparts in Washington on December 2, 2010 to review proposals to be funded through sales of Coastal Recreational Fishing Licenses. \$2,128,515 in CRFL funds was available for distribution. Thirteen project proposals will be funded this year, many of which will provide increased boating and fishing access areas.

Land Use and Access Committee Meeting Report – on behalf of Committee Chair Doug Parsons, Bob Curry reported that the Land Use and Access Committee received a report from Jeff Furness, Senior Scientist with PCS Phosphate in Beaufort County. PCS Phosphate wants to offer the WRC an opportunity to receive an 8000 acre conservation easement on reclaimed wetlands and farm land that can be integrated into the Game Lands Program. The Committee plans to bring a favorable motion for acceptance of the conservation easement to the entire Commission at the March 2011 meeting. The Committee discussed the East Fork Headwaters Tract. Eight hundred acres have been purchased. The WRC is assisting with the grant submission process for funding for more of the tract. The Committee received an update on the proposal for a day use facility on the Lutz Tract in Caldwell County. The Memorandum of Understanding for that lease agreement is under revision. The Council of State has not yet met to consider the lease agreement, which the WRC will sign after the MOU is finalized.

Habitat, Non-Game, and Endangered Species Committee Meeting Report - Committee Chairman Chuck Bennett reported that the committee met on January 12. Norman Young, *Agency Counsel*, talked about funding mechanisms for wildlife diversity contributions. Young stated that the existing Endowment Fund can be used for receipt of contributions for non-game species, separating non-game endowment from the remainder of the endowment fund. Chairman Bennett reported that the committee discussed the Cardinal Foundation's relationship with the WRC with respect to handling contributions. As a friend of the Wildlife Resources Commission rather than part of the Wildlife Resources Commission, the Cardinal Foundation is not set up to receive contributions on behalf of the agency. Bennett announced that the Scientific Councils have made their recommendations for naming species as endangered or of special concern. That full recommendation will come before the Commission at the May meeting.

Resolution to Reaffirm Support for Hunting with the Use of Dogs – the Commission unanimously adopted a Resolution from the Big Game Committee that reaffirms the support of the Wildlife Resources Commission for the use of dogs in hunting in North Carolina. The Resolution will be available on the agency website.

Comments by the Chairman – Chairman Windham noted his appreciation for the presentation about WRC headquarters and agency sustainability efforts including the Green Growth Toolbox. Windham requested that each Commissioner reach out to the new legislators in their districts.

Comments by the Executive Director - Executive Director Gordon Myers announced that the agency has several new technologies including wireless internet access in the Commission room. Myers stated that SharePoint will be rolled out soon for use among committees. He stated that the agency is close to launching the new website. Discussions for license restructuring are ongoing. The Commission will receive an update at the March meeting. Myers and Chairman Windham have met with the new legislative leaders in anticipation of the Session that starts January 26.

Adjournment - the meeting was adjourned at 10:30 a.m.